

REMARKS

The abstract of the disclosure is objected to because the abstract should be in the range of 50 to 150 words. An amended abstract is submitted herewith. The amendment to the abstract is not intended to effect the scope of the claimed invention in any way, but rather is submitted solely to shorten the abstract in accordance with the stated criteria.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhr et al (US Patent 5,528,339), and further in view of Lippincott (US Patent 6,459,825).

With regard to independent claim 1, the Examiner states that Buhr discloses defining desired values, i.e., parameters which are recorded, for at least two image look, i.e., scene elements, parameters associated with the desired image look (see col. 18, lines 47-55); sensing data with correlates to the values of the defined image look parameters for the digital source image data (see col. 4, lines 51-61); and modifying the digital source image data to provide digital output image data at the specified point (see col. 18, lines 50-58). The Examiner further states that Buhr does not explicitly call for at least one image look parameter value closer to the defined image look parameter value associated with the desired image look, but that Lippincott discloses this feature (see col. 5, lines 5-17), and that "it would have been obvious to incorporate the step of automatic image scanning system as thought by Lippincott in the system Buhr, because Lippincott provides Buhr a system of a photo image scanner where the maximum optical film quality is maintained or enhanced by image scanning, not degraded or made to extenuate film noise artifacts degraded." This rejection is respectfully traversed.

Contrary to the Examiner's statements, Buhr does not disclose "sensing data with correlates to the values of the defined image look parameters for the digital source image data" (underlining added) at col. 4, lines 51-61, but rather such referenced section refers to the measurement of visually perceived densities of objects in an original scene or in an actual reproduction of the scene.

This is because Buhr is specifically directed towards reproductions of an original scene where the reproduction has specific perceived color enhancements relative to the actual original scene (see, e.g., col. 14, lines 57+). The present claimed invention, on the other hand, is directed towards a process wherein desired image look parameter values are defined independent of the source image data. While Buhr may apply the desired modifications to captured image data corresponding to the original scene, there is no teaching of sensing a stream of digital source data to ascertain degree of compliance with multiple image look parameters that have been defined independent of the digital source data. Further contrary to the Examiner's assertions, Lippencott does not appear to teach modifying source image data to obtain an digital output image data with an image look parameter closer to a defined image look parameter associated with a desired image look, but rather Lippencott is directed towards an automatic scanning system wherein a scanner control is used to select calibration standards that are set for materials closest to the sensed type of material being scanned. Thus, rather than modify an image data, Lippencott is directed towards a system to most accurately reproducing a scanned image. Accordingly, the combination of Buhr and Lippencott clearly fails to suggest the present claimed invention.

Further, claim 1 has been amended to specifically require that the digital source image data correspond to multiple image frames in a motion imaging sequence, that data which correlates to the values of the defined image look parameters for the digital source image data is sensed from multiple image frames in the motion imaging sequence, and that the digital source image data corresponding to the motion imaging sequence is modified as a function of the sensed data to provide digital output image data at the specified point with at least one image look parameter value closer to the defined image look parameter value associated with the desired image look. Support for such amendments is found generally throughout the specification (e.g., with respect to motion picture films, motion images, and cinematographer defined desired looks), and specifically, e.g., at page 5, lines 16-19; page 6, lines 23-24; page 14, lines 6-13; page 18, lines 26-28; page 26, lines 36-37; page 27, line 8; page 28, lines 32-35; page 29, lines 16+;

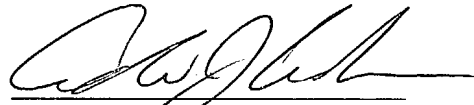
page etc. Such features are further not taught or suggested by the combination of Buhr and Lippincott. As indicated in the specification, such feature of enabling digital imaging data to be modified to provide a desired image look independent of the source of the digital data is particularly useful in the motion picture field, wherein the ability to define various image looks and perform various image look modifications may be desired for artistic purposes. Reconsideration of this rejection is accordingly respectfully requested.

Claim 1 is believed patentable over Buhr and Lippencott for the above reasons, and dependent claims 2-12 are believed patentable for at least the same reasons. Additionally with respect to claims 4 and 12, col. 4, lines 51-61 of Buhr referenced by the Examiner does not appear to be directed towards the claimed feature of an additional digital source image modification after and in response to a verification step. Rather, such section merely describes various image output devices. Additionally with respect to claim 5, col. 9, lines 17-29 of Buhr referenced by the Examiner does not appear to be directed towards the claimed feature of first modifying digital source image data to provide a first defined reference look, and then modifying the digital data to provide a desired image look distinct from the reference look. Rather such section describes various alternative points in an imaging system where an image transfer function modification may be performed. Additionally with regard to claims 6 and 7, col. 8, lines 50-60 of Buhr referenced by the Examiner does not appear to disclose defining desired values for at least three or four image look parameters associated with a desired image look. With regard to claim 8, Buhr discloses the digital source image data represents an original scene image captured with an electronic camera (see col. 9, lines 2-21). Should the Examiner maintain any rejection against claim 1, it is respectfully requested that the additional deficiencies with respect to the rejections of each of these additional claims be addressed.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the Examiner is earnestly solicited. Should the Examiner believe any

remaining issues may be resolved via a telephone interview, the Examiner is encouraged to contact Applicants' representative at the number below to discuss such issues.

Respectfully submitted,



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